

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

AMERICAN SERVICE INSURANCE)
COMPANY, an Illinois insurance company,)

Plaintiff,)

v.)

Case No. 08 CV 443

NAFTA GENERAL AGENCY, a Texas,)
Corporation, UNDERWRITERS MGA, Inc.,)
a Texas corporation, and RAMON VILLARREAL,)
an individual,)

Defendants.)

AGREED TEMPORARY RESTRAINING ORDER

This Matter coming to be heard pursuant to the Motion for a Preliminary Injunction or, in the alternative, for an Extension of the Temporary Restraining Order filed by the Plaintiff, American Service Insurance Company ("ASI") pursuant to Rule 65 of the Federal Rules of Civil Procedure, representatives of all parties having been notified and being present in Court, the Court hereby finds:

1. Judge David H. Coar entered a Temporary Restraining Order in this action on January 22, 2008,; and
2. The parties agree to extend the Temporary Restraining Order as provided in this Order below until further Order of Court.

IT IS THEREFORE HEREBY ADJUDGED, ORDERED AND DECREED AS FOLLOWS:

1. The Defendants, NAFTA General Agency, Underwriters MGA, Inc., and Ramon Villarreal, and any of their officers, agents, servants, employees, attorneys, or any person or entity acting in concert with or participating with any of the foregoing are hereby immediately enjoined, restrained and prohibited from soliciting, selling or renewing any American Service Insurance Company ("ASI") insurance policies.

2. The Defendants, NAFTA General Agency, Underwriters MGA, Inc., and Ramon Villarreal and any of their officers, agents, servants, employees, attorneys, or any person or entity acting in concert with or participating with any of the foregoing are hereby immediately enjoined, restrained and prohibited from filing or instituting any new legal proceedings or action in any court or other forum concerning the parties' rights and remedies stemming from the Program Manager Agreement entered into between and among ASI and NAFTA General Agency, Underwriters MGA, Inc. and Ramon Villarreal (hereinafter "Agreement").

3. The Defendants, NAFTA General Agency, Underwriters MGA, Inc., and Ramon Villarreal are hereby ordered to immediately deliver to ASI's counsel of record in this action all ASI policies or certificates issued or renewed since December 31, 2007 that are in their possession or control. By agreement, the Defendants, NAFTA General Agency, Underwriters MGA, Inc. and Ramon Villarreal will immediately request Almex Seguros, S.A. de C.V., Asesores de Riesgos Internacionales, S.A. de C.V. and Asesores de Riesgos Internacionales de Mexico, S.A. de C.V. (hereinafter the "Mexican Entities") to produce as soon as possible all ASI policies or certificates issued or renewed since December 31, 2007. By agreement, the Defendants shall provide a copy of such demand to ASI's counsel of record along with proof of

the delivery of such request to the Mexican Entities. By agreement, the Defendants shall also immediately forward to ASI's counsel any policies or certificates that they receive in response to their request to the Mexican Entities.

4. The Defendants, NAFTA General Agency, Underwriters MGA, Inc. and Ramon Villarreal and any of their officers, agents, servants, employees, attorneys, or any person or entity acting in concert with or participating with any of the foregoing (hereinafter "Fiduciaries") are hereby immediately enjoined, restrained and prohibited from writing checks or drafts, initiating wires, making withdrawals or otherwise transferring any property or money from the following accounts to anyone other than ASI:

- a. Account No. 0270007040 held at First National Bank in Brownsville, Texas;
- b. Account No. 0270007113 held at First National Bank in Brownsville, Texas;

(all of the foregoing accounts hereinafter referred to as "Accounts"). The parties agree that the identification of the foregoing Accounts in this Order is without prejudice to ASI's right to seek injunctive or other relief in respect to other accounts not presently identified in this Order. The parties also agree that ASI is permitted to withdraw funds from the Accounts and the Defendants – to the extent required – are to continue to deposit premiums for policies sold.

5. This Agreed Temporary Restraining Order shall remain in effect until further order of Court.

6. The parties are hereby permitted to engage in expedited discovery.

Dated: _____

ENTER:

United States District Court Judge

Patrick M. Hincks
Desmond Patrick Curran
Matthew P. Barrette
Sullivan Hincks & Conway
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Oak Brook, IL 60523